

AUG 25 2006

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

WILFREDO RICARDO
IPARRAGUIRRE-VALDIVIA,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-72637

Agency No. A71-623-429

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted August 21, 2006 ^{**}

Before: GOODWIN, REINHARDT, and BEA, Circuit Judges.

Wilfredo Ricardo Iparraguirre-Valdivia, a native and citizen of Peru,
petitions for review of the Board of Immigration Appeals' decision affirming an

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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immigration judge's denial of his application for cancellation of removal. Because we lack jurisdiction, we dismiss the petition for review.

We lack jurisdiction to consider Iparraguirre-Valdivia's challenge to the agency's discretionary determination that he failed to demonstrate exceptional and extremely unusual hardship to his qualifying relative. *See* 8 U.S.C.

§ 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

Moreover, Iparraguirre-Valdivia has failed to raise a colorable constitutional or legal claim to invoke our jurisdiction over this petition for review. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001).

Iparraguirre-Valdivia's motion for an extension of time to file a reply brief is denied as moot.

PETITION FOR REVIEW DISMISSED.